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Appl. No. : 10/808,686
Confirmation No. : 6069
Applicant : Kenneth A. Bradenbaugh

Filed : March 25, 2004
Title : WATER HEATER AND
METHOD OF CONTROLLING
THE SAME

TC/A.U. : 3742
Examiner : Thor S. Campbell

Docket No. : 010121-9828-02

Customer No. : 23409

I, Holly Rhodes, hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date of my signature.

Holly Rhodes

Signature

8/4/05

Date of Signature

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
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RESPONSE TO RESTRICTION REQUIREMENT

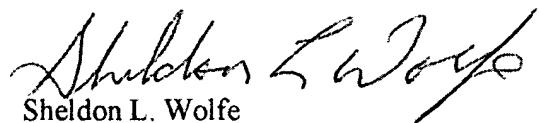
Sir:

The Office subjected the originally filed claims to a restriction and/or election requirement on March 10, 2005. Applicants elected Species A on April 8, 2005. According to the Office at the time, claims 1-17, 18-62, and 103-127 read on the elected species and claims 1-17 were generic.

The Office is now subjecting the originally filed claims to a second restriction and/or election requirement. In addition to the previous election/restriction, the Office is now stating there is no generic claim and Species A is subjected to an additional subspecies election. Applicants elect Subspecies I: Gas water heater and method of controlling same. Applicant asserts, from the claims of Species A, claims 1-62, 103, 105-115, and 117-127 read on the elected subspecies.

An action on merits of claims 1-62, 103, 105-115, and 117-127 is respectfully requested.

Respectfully submitted,


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